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OFFICE OF PETITIONS

In re Application of	:	
Rocky Stewart, Timo Metsaportti and:	:	
Pal Takacsi-Nagy	:	
Application No. 09/788,150	:	DECISION NOTING JOINDER
Filed: February 16, 2001	:	OF INVENTOR AND PETITION
Attorney Docket No.	:	UNDER 37 C.F.R. \$1.47 MOOT
Title: OPEN MARKET COLLABORATION	:	
SYSTEM FOR ENTERPRISE WIDE	:	
ELECTRONIC COMMERCE	:	

This is in response to the "Request for Reconsideration of Petition under 37 CFR 1.47(a)", filed April 16, 2002. This decision is made in light of the "Supplement to Petition under 37 CFR 1.47...", filed on February 13, 2002.

The above-identified application was filed on February 16, 2001, without an executed oath or declaration. In response to a "Notice to File Missing Parts of Application" mailed April 5, 2001, applicant filed *inter alia* the initial petition under \$1.47(a) and declaration executed by joint inventors Stewart and Nagy on behalf of themselves and on behalf of non-signing inventor Metsaportti. However, the petition was dismissed for failure to show that non-signing inventor Metsaportti refused to sign the declaration after having been presented with the application papers (Decision mailed February 14, 2002).

On February 13, 2002¹ (and again on request for reconsideration filed April 16, 2002²), applicant submitted a declaration for patent application signed by previously non-signing inventor Metsaportti. The declaration has been reviewed and found in compliance with 37 CFR 1.63.

In view of the joinder of the inventor, further consideration under 37 CFR 1.47(a) is not necessary and the petition is considered moot. This application does not have any Rule 1.47(a) status and no such status should appear on the file wrapper. This application need not be returned to this Office for further consideration under 37 CFR 1.47(a).

¹ This declaration was not received by the deciding Official prior to the issuance of the dismissal mailed February 14, 2002.

² Certificate of mailing April 9, 2002.

The application file is being returned to the Office of Initial Patent Examination for completion of pre-examination processing.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Nancy Johnson at (703) 305-0309.

Christina Lauder Donnell for

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy